

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Action of May 27, 2005 is respectfully requested.

In paragraph 1 of the Office Action of May 27, 2005, Examining Attorney has contended that the Application is objected to as failing to provide proper antecedent basis for the claimed subject matter and has **required** that Applicant must make the following corrections:

1. "Claims 18-33 are not adequately supported by the original specification, such as in claim 18 lines 7-11, 'an inner mounting platelight fixture' which is not supported by the specification".
2. "**Please note that inventor is responsible for providing element number for each claimed invention as well as** for providing page number, figure number, element number, and column with lines number in the original specification for claims 18-33 to verify and in compliance with statute 35 USC 112 first paragraph defined in MPEP. Please note that the claim or claims (18-33) must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims (18-33) must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description, see MPEP 608.01 (d)(1)."

(Emphasis and underlining in the original)

On page 4 of the Office Action of May 27, 2005, Examining Attorney has stated:

5. "Claims 18-33 would be allowable if over come the specification objection and the 112 first paragraph."

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On pages 3-4 of the May 27, 2005 Office Action, Examining Attorney has quoted several sections of the MPEP in support of the statement on Page 3:

“3. Claims 18-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.”

Examining Attorney has contended on page 5 at paragraph 8 that Applicant’s amendment necessitated new ground(s) of rejection presented in the Office Action of May 27, 2005 and on that basis made the Office Action final.

From the above and from the comments of Examining Attorney in the Office Action of May 27, 2005, it appears that Examining Attorney is contending that claims 18 to 33 have added new matter that is not supported by the Application as filed and that this is in violation of 112 first paragraph and makes the specification objectionable.

Applicant respectfully traverses these contentions of Examining Attorney.

With respect to item 2 quoted above as appearing on page 2 of the Office Action of May 27, 2005, this entire paragraph is not understood. Applicant has presented the additional new claims 18 to 33 in the form and manner as set forth in the revised amendment practice effective July 30, 2003 as published by the Patent and Trademark Office. The comment by Examining Attorney as above quoted: “... that inventor is responsible for providing element number for

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each claimed invention as well as for providing page number, figure number, element number, and column with lines number in the original specification for claims 18-33 to verify and in compliance with statute 35 USC 112 first paragraph defined in MPEP.” is not understood at all. What element numbers, page numbers, figure numbers and column(??) [there are no columns in patent applications] line numbers does Examining Attorney contend are missing in the Application as filed and amended including new claims 18 to 33? Explanation is requested.

It is respectfully submitted that each and every element in claim 18, lines 7-11 are clearly defined in the specification and shown on the drawing. The attention of Examining Attorney is respectfully directed to the as filed specification at page 9 line 3 to page 10 line 5 and to the drawing in, for example, Figures 2 and 4. As shown and described therein there is the inner mounting plate 30, coupled to the inner surface 18 of the base plate 14 and spaced from the peripheral edge 20. At lines 3 to 4 the base plate is defined to have an outer rim 28 along the peripheral edge 20 and as clearly shown in Figure 4 the inner mounting plate 30 is spaced from the peripheral edge 20 towards the central axis 22. Figure 4 also shows that the inner mounting plate 30 has the bottom portion 34 coupled to the inner surface 18 of the base plate 14. The above cited portion of the specification and the figures of drawing also clearly show and describe the upright portion 36 extending inwardly from the inner surface 18 of the base plate 14. On page 10 at lines 14 to 18 there is clearly defined that the plurality of mounting members 50 are on the inner mounting plate 30 and the mounting members provide the interconnection to the light fixture.

It is respectfully submitted that the above description and the drawing clearly provide the

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necessary antecedent basis for each element in claim 18, lines 7 to 11 and thus there is no new matter introduced. There fore, it is respectfully submitted that the amendment filed April 6, 2005 did not necessitate the new grounds for the rejection, as stated by Examining Attorney, and, consequently, the imposition by the Examining Attorney of a final rejection was improper and should be withdrawn.

Since independent claim 18 is clearly allowable and claims 19 to 33 are dependent, in one way or another on claim 18, it is respectfully submitted that claims 18 to 33 are allowable. Examiner has allowed claims 1 to 17 and thus all of the claims in this Application are allowable and early allowance thereof is respectfully requested.

Check No. 4714 in the amount of \$225.00 as specified by the Patent and Trademark Office in 37 CFR 1.17(a)(2) is enclosed. If Examining Attorney has any questions, it is respectfully requested that Examining Attorney call the undersigned so as to resolve any remaining issues.

Respectfully submitted,



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Date: October 26, 2005

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